

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-cv-2805-K

ZTE CORPORATION, ET AL.,

Defendants.

JURY TRIAL DEMANDED

JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendant ZTE (USA), Inc. (“ZTE”), hereby state that they have finalized their agreement settling matters in controversy between them. Accordingly, CCE and ZTE stipulate to the dismissal of all of their claims against one another in the above-captioned case **WITH PREJUDICE**.

CCE also seeks to dismiss its claims against Defendants AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Solutions, Inc., Sprint Spectrum L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, the “Carrier Defendants”) that were severed and stayed from the above-captioned case (*see* ECF 78) **WITH PREJUDICE** solely to the extent those claims for relief asserted therein involve the manufacture, use, offer for sale, sale, and/or importation of products manufactured by or for ZTE that are the subject of the CCE-ZTE settlement agreement. The Carrier Defendants do not oppose.

CCE and ZTE ask that the Court enter the attendant proposed Order of Dismissal, with

each party to bear its own costs, expenses and attorneys' fees.

Dated: September 14, 2018

Respectfully submitted,

/s/ Edward R. Nelson III

Edward R. Nelson III
ed@nbafirm.com
Texas State Bar No. 00797142
Ryan P. Griffin
ryan@ nbafirm.com
Texas State Bar No. 24053687
Thomas C. Cecil
tom@ nbafirm.com
Texas State Bar No. 24069489
Christopher G. Granaghan
chris@nbafirm.com
Texas State Bar No. 24078585
NELSON BUMGARDNER ALBRITTON P.C.
3131 West 7th Street, Suite 300
Fort Worth, Texas 76107
Phone: (817) 377-9111
Fax: (817) 377-3485

**ATTORNEYS FOR CELLULAR
COMMUNICATIONS EQUIPMENT LLC**

/s/ Keana Taylor

Everett Upshaw
State Bar No. 24025690
everettupshaw@everettupshaw.com
Keana Taylor
State Bar No. 24042013
keanataylor@upshawpllc.com
UPSHAW PLLC
1204 Gano Street
Dallas, Texas 75215
P: (972) 920-8000
F: (972) 920-8001

Nicole S. Cunningham
CA State Bar No. 234390
Steve A. Moore
CA State Bar No. 232114
PILLSBURY WINTHROP SHAW
PITTMAN LLP
501 West Broadway, Suite 1100
San Diego, California 92101
(619) 544-3119
(619) 236-1995 (fax)
Nicole.Cunningham@PillsburyLaw.com
Steve.Moore@PillsburyLaw.com

Brian C. Nash (TX Bar No. 24051103)
brian.nash@pillsburylaw.com
PILLSBURY WINTHROP SHAW PITMAN LLP
401 Congress Avenue, Suite 1700
Austin, TX 78701-3797
Phone: (512) 580-9609
Fax: (512) 580-9601

**ATTORNEYS FOR
DEFENDANT ZTE (USA) INC.**

CERTIFICATE OF SERVICE

On September 14, 2018, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Edward R. Nelson III

CERTIFICATE OF CONFERENCE

The parties met and conferred about the relief requested in this motion via e-mail on September 10, 2018. The parties agreed to the relief requested in this motion, and therefore agreed to file this motion jointly. The motion is consequently unopposed.

/s/ Edward R. Nelson III